

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A HAGOOD AVENUE
CHARLESTON, SOUTH CAROLINA 29403
and the
S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

REGULATORY DIVISION

Refer to: P/N # 2006-3564-11D - P

12 January 2007

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

PURPLE LOTUS, LLC
P.O. BOX 557
YEMASSEE, SOUTH CAROLINA 29945

for a permit to replace an existing dock and construct a bulkhead in

JENKINS CREEK

located at 74 Gardner Drive on St. Helena Island in Beaufort County, South Carolina.

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, 12 FEBRUARY 2007

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of replacing an existing dock and construction of a bulkhead along the shoreline. In detail, the existing T-shaped dock will be removed and replaced with a 28.5" long walkway leading to a fixed 12' x 40' pierhead, with an attached 10' x 40' floating dock. 362 linear feet of timber bulkhead will be constructed along the existing shoreline to prevent further erosion. The purpose of the dock will be for commercial use associated with the applicant's commercial business.

12 January 2007

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
Post Office Box 919
Charleston, South Carolina 29402-0919.**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact approximately 0.10 acres of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

12 January 2007

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

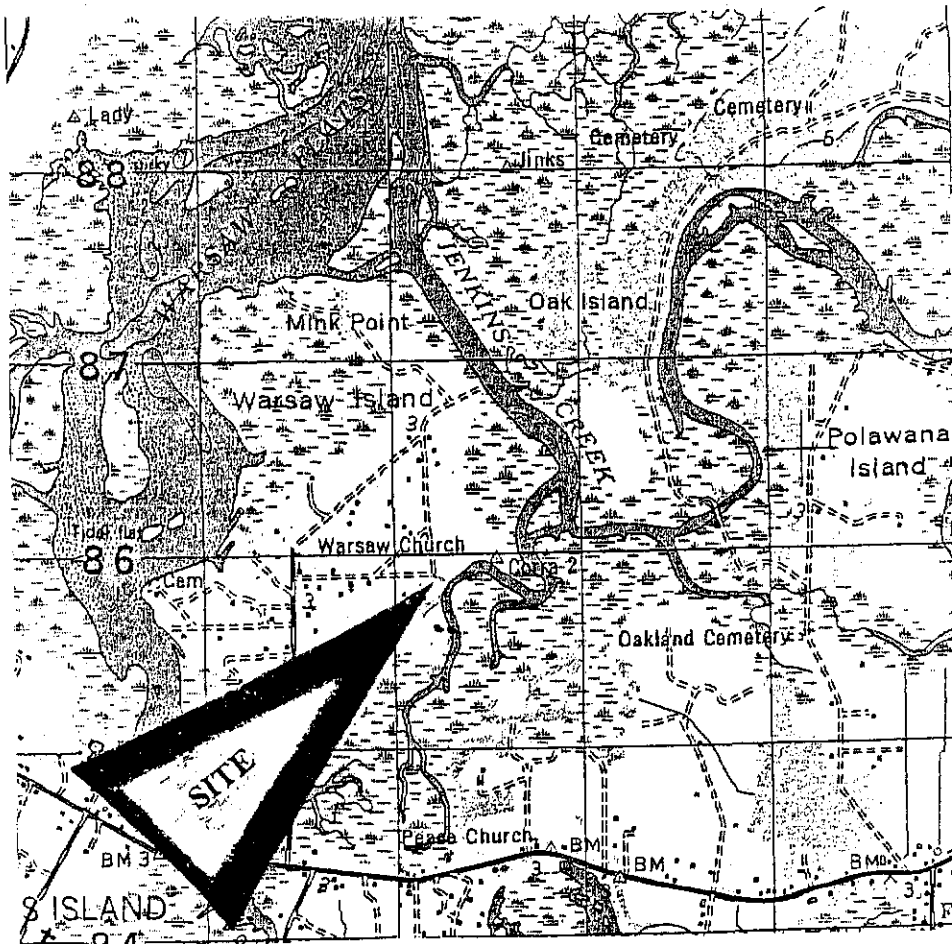
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact Dean Herndon at 843-329-8044 or toll free at 1-866-329-8187.

Steve Brooks
Project Manager
SCDHEC-OCRM

Prepared by the Army Map Service (PV), Corps of Engineers, U.S. Army, Washington, D.C. Compiled in 1968 from U.S. Quadrangle, South Carolina, 1:24,000, U.S. Geological Survey, Sheets Parris Island, Frogmore, St. Phillips Island, 1956; Beaufort, 1958. Horizontal and vertical control by USC&GS. Planimetric detail revised by photo-planimetric methods. This map compiles with the national standard map accuracy requirements. Map not field checked.



74 Gardner Dr. Warsaw Island. Take US21(s) through Beaufort. Stay on US 21(s) until you cross the Cowen Creek bridge and turn left onto Warsaw Island Rd, then turn right onto Gardner Dr, and follow to the site.

APPLICANT: Purple Lotus LLC

ACTIVITY: Commercial dock
reconfiguration & timber
bulkhead

LOCATION: 74 Gardner Dr
Warsaw Island

COUNTY: Beaufort

DATE: 11/8/06 Sh. 1 of 9

ADJACENT PROPERTY OWNERS:

1. Douglas Gardner
2. Viola Richardson

EXISTING DOCK TO BE REMOVED 192.83'± TO OTHER SIDE OF CREEK

28.5'± LONG DOCK WALKWAY DOCK

EXISTING BLUFF

PROPOSED SEA WALL (NOT TO EXCEED 7') (M.S.L. ELEV.)

NOT TO SCALE

APPROXIMATE WATER

FLOAT

RAMP

SQUARE FOOTAGE DISTANCE 0' TO 22.58'

EXISTING BLUFF

PROPOSED SEA WALL (NOT TO EXCEED 7') (M.S.L. ELEV.)

5'

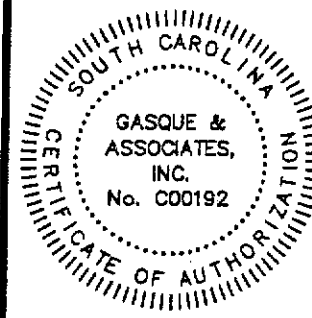
4'

NOT TO SCALE

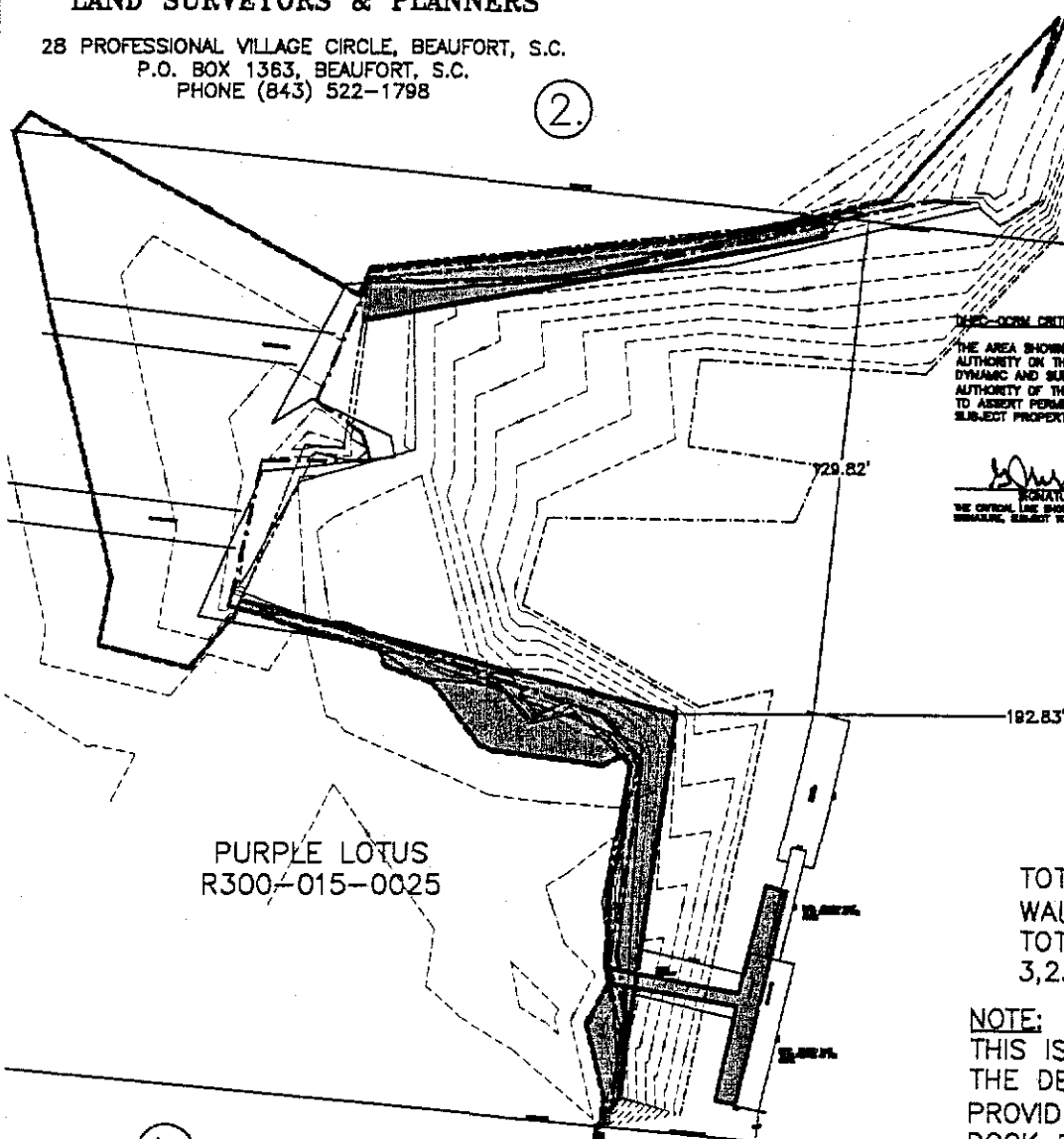
GASQUE & ASSOCIATES INC. LAND SURVEYORS & PLANNERS

28 PROFESSIONAL VILLAGE CIRCLE, BEAUFORT, S.C.
P.O. BOX 1363, BEAUFORT, S.C.
PHONE (843) 522-1798

SHEET #1a OF 9



(2)



DEPT-COORN CRITICAL LINE

THE AREA SHOWN ON THIS PLAT IS A REPRESENTATION OF DEPARTMENT PERMIT AUTHORITY ON THE SUBJECT PROPERTY. CRITICAL AREAS BY THEIR NATURE ARE DYNAMIC AND SUBJECT TO CHANGE OVER TIME. BY DELINEATING THE PERMIT AUTHORITY OF THE DEPARTMENT, THE DEPARTMENT IN NO WAY WAIVES ITS RIGHT TO ASSERT PERMIT JURISDICTION AT ANY TIME IN ANY CRITICAL AREA ON THE SUBJECT PROPERTY, WHETHER SHOWN HEREON OR NOT.

SIGNATURE: *[Signature]* DATE: 12-15-06
THE CRITICAL LINE SHOWN ON THIS PLAT IS VALID FOR FIVE YEARS FROM THE DATE OF THIS SIGNATURE, SUBJECT TO THE DEPARTMENT'S LANDMARK ACTING.

JENKINS CREEK

FLOOD

192.83'

729.82'

PURPLE LOTUS
R300-015-0025

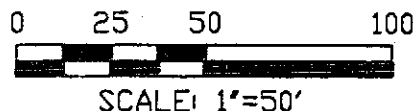
TOTAL PROPOSED
WALL: 362.04'
TOTAL PROPOSED FILL:
3,231 SQ. FT.

NOTE:
THIS IS NOT A DESIGN DRAWING;
THE DESIGN OF THIS SEAWALL IS
PROVIDED BY THE OWNER AND/OR
DOCK BUILDER

(1)

PURPOSE: BULKHEAD WALL AND DOCK RECONFIGURATION

DATUM: M.L.W.
ADJACENT PROPERTY OWNERS:
1. DOUGLAS GARDNER
R300-015-0186
P.O. BOX 1753
RIDGELAND 29936
2. VIOLA RICHARDSON
R300-009-009A
86 GARDNER DRIVE



O'QUINN MARINE INC.
95 SHEPPARD ROAD
BEAUFORT, SC 29907

PROPOSED BULKHEAD WALL AND DOCK RECONFIGURATION

IN: JENKINS CREEK

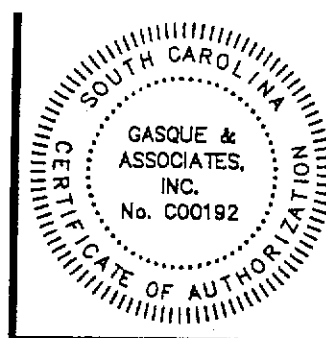
AT: WARSAW ISLAND

COUNTY OF: BEAUFORT
STATE: SOUTH CAROLINA
APPLICATION BY: O'QUINN MARINE

JOB# 30625-CPLTS DSGN#2 DATE: 6/7/06

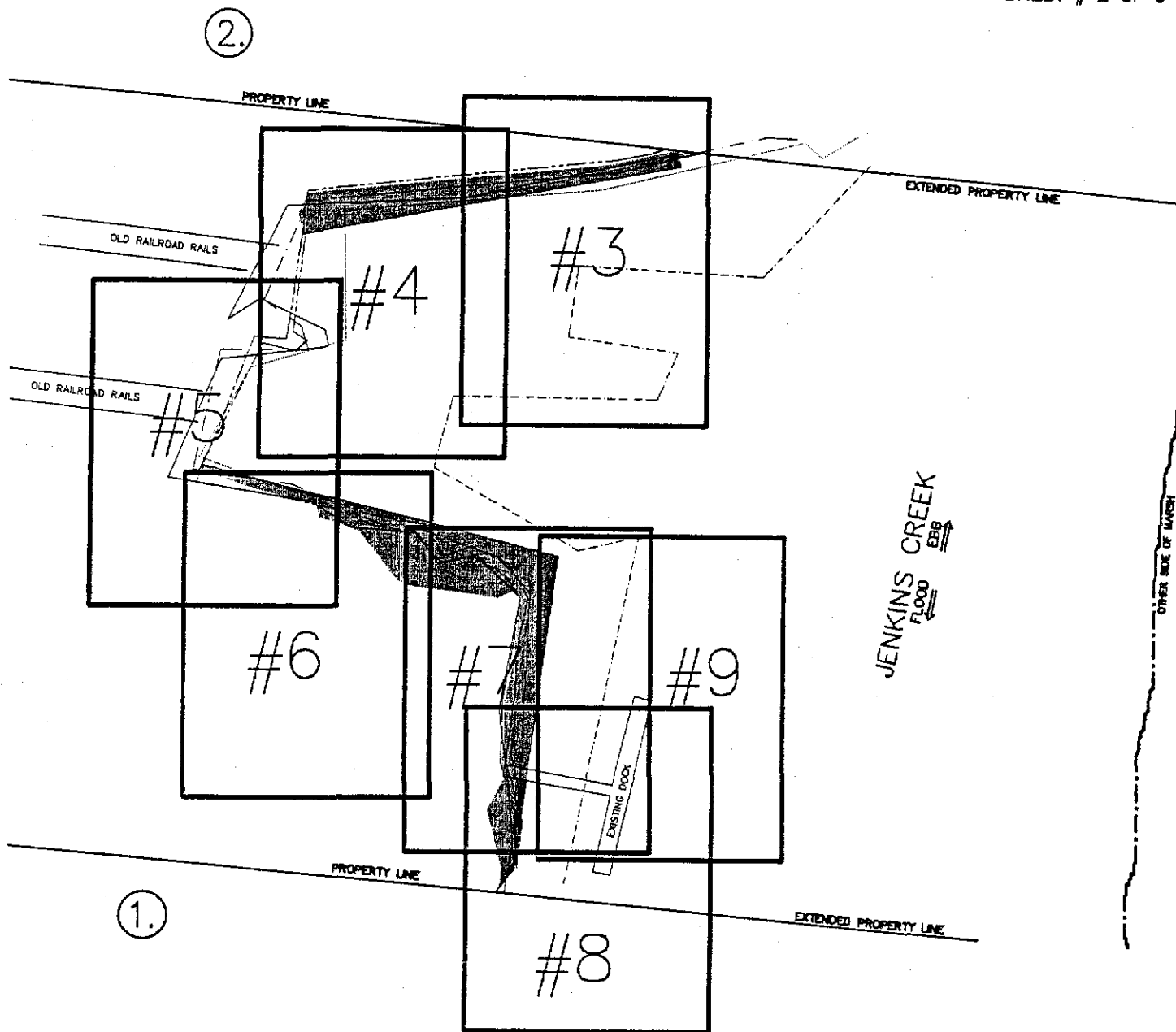
GASQUE & ASSOCIATES INC.
LAND SURVEYORS & PLANNERS

28 PROFESSIONAL VILLAGE CIRCLE, BEAUFORT, S.C.
P.O. BOX 1363, BEAUFORT, S.C.
PHONE (843) 522-1798



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SHEET # 2 OF 9



PURPOSE: BULKHEAD WALL AND DOCK RECONFIGURATION

DATUM: M.L.W.

ADJACENT PROPERTY OWNERS:

1. DOUGLAS GARDNER
R300-015-0186
P.O. BOX 1753
RIDGELAND 29936
2. VIOLA RICHARDSON
R300-009-009A
86 GARDNER DRIVE

0 25 50 100



SCALE: 1"=50'

O'QUINN MARINE INC.
95 SHEPPARD ROAD
BEAUFORT, SC 29907

PROPOSED BULKHEAD WALL AND DOCK RECONFIGURATION

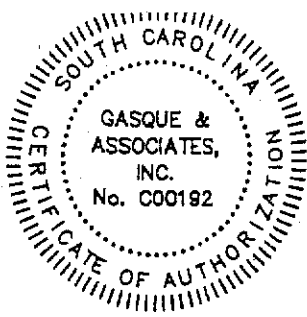
IN: JENKINS CREEK

AT: WARSAW ISLAND

COUNTY OF: BEAUFORT
STATE: SOUTH CAROLINA

APPLICATION BY: O'QUINN MARINE

JOB# 30625-CPLTS DSGN#2 DATE: 6/7/06



GASQUE & ASSOCIATES INC.
LAND SURVEYORS & PLANNERS

28 PROFESSIONAL VILLAGE CIRCLE, BEAUFORT, S.C.
P.O. BOX 1363, BEAUFORT, S.C.
PHONE (843) 522-1798

SHEET # 3 OF 9

2.

PROPERTY LINE

PURPLE LOTUS
R300-015-0025

AREA TO BE
BACK FILLED
1,012 sq. ft.

TOP OF BANK

PROPOSED BULKHEAD
WALL 130.58' LONG

MEAN HIGH
WATER

JENKINS CREEK

MEAN LOW WATER

LOHED/DOCK
CRITICAL LINE

MHW

PURPOSE: BULKHEAD WALL AND DOCK
RECONFIGURATION

DATUM: M.L.W.
ADJACENT PROPERTY OWNERS:
1. DOUGLAS GARDNER
R300-015-0186
P.O. BOX 1753
RIDGELAND 29936
2. VIOLA RICHARDSON
R300-009-009A
86 GARDNER DRIVE

0 5 10 20



SCALE: 1"=10'

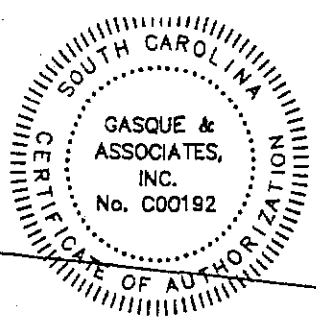
O'QUINN MARINE INC.
95 SHEPPARD ROAD
BEAUFORT, SC 29907

PROPOSED BULKHEAD WALL AND
DOCK RECONFIGURATION

IN: JENKINS CREEK

AT: WARSAW ISLAND

COUNTY OF: BEAUFORT
STATE: SOUTH CAROLINA
APPLICATION BY: O'QUINN MARINE
JOB# 30625-CPLTS DSGN#2 DATE: 6/7/08



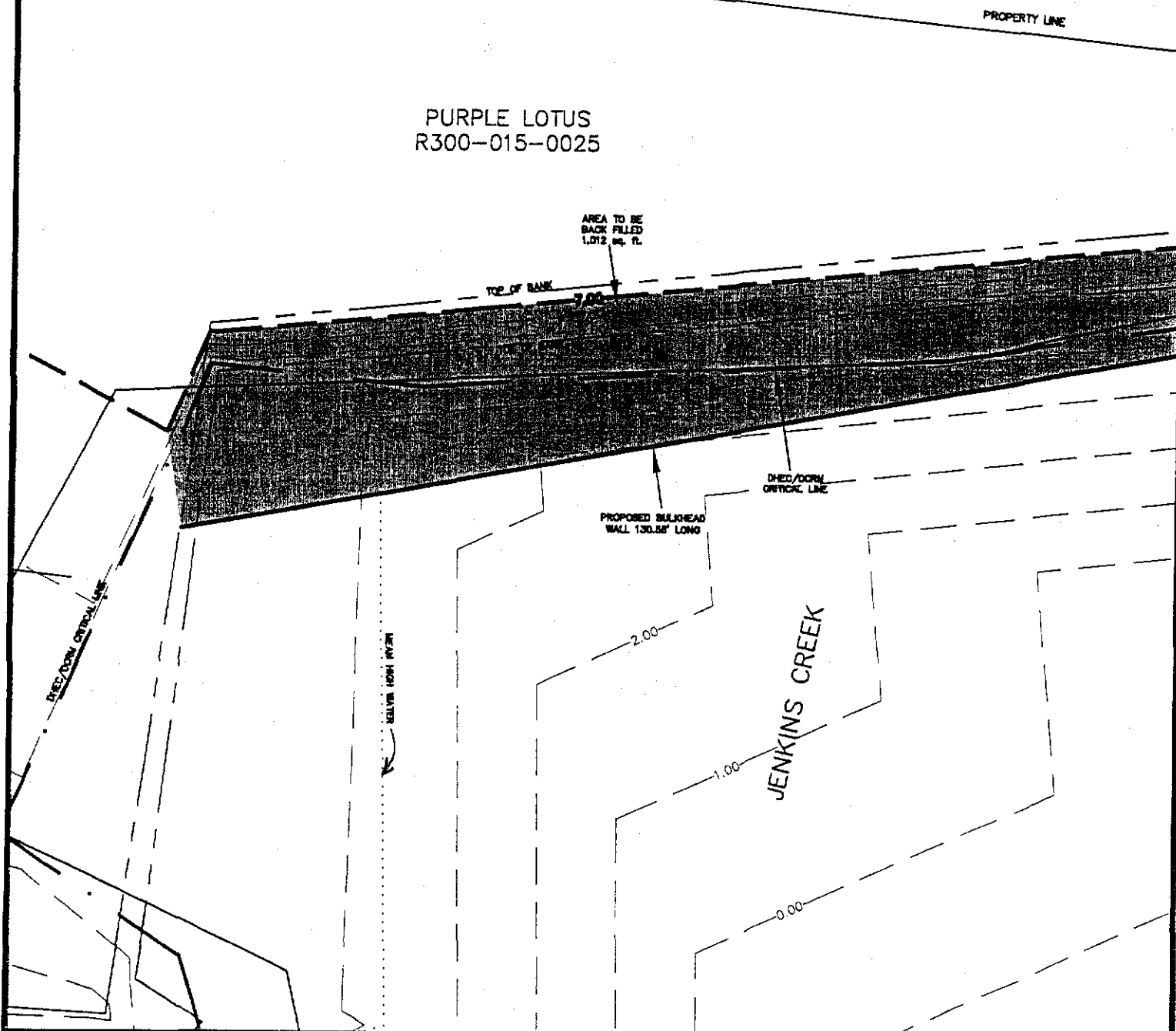
GASQUE & ASSOCIATES INC.
LAND SURVEYORS & PLANNERS

28 PROFESSIONAL VILLAGE CIRCLE, BEAUFORT, S.C.
P.O. BOX 1363, BEAUFORT, S.C.
PHONE (843) 522-1798

SHEET # 4 OF 9

2.

PURPLE LOTUS
R300-015-0025



PURPOSE: BULKHEAD WALL AND DOCK
RECONFIGURATION

DATUM: M.L.W.
ADJACENT PROPERTY OWNERS:
1. DOUGLAS GARDNER
R300-015-0186
P.O. BOX 1753
RIDGELAND 29936
2. VIOLA RICHARDSON
R300-009-009A
86 GARDNER DRIVE

0 5 10 20



SCALE: 1"=10'

O'QUINN MARINE INC.
95 SHEPPARD ROAD
BEAUFORT, SC 29907

PROPOSED BULKHEAD WALL AND
DOCK RECONFIGURATION

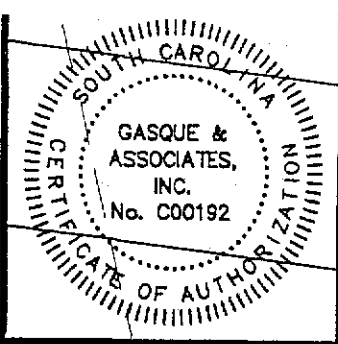
IN: JENKINS CREEK

AT: WARSAW ISLAND

COUNTY OF: BEAUFORT
STATE: SOUTH CAROLINA

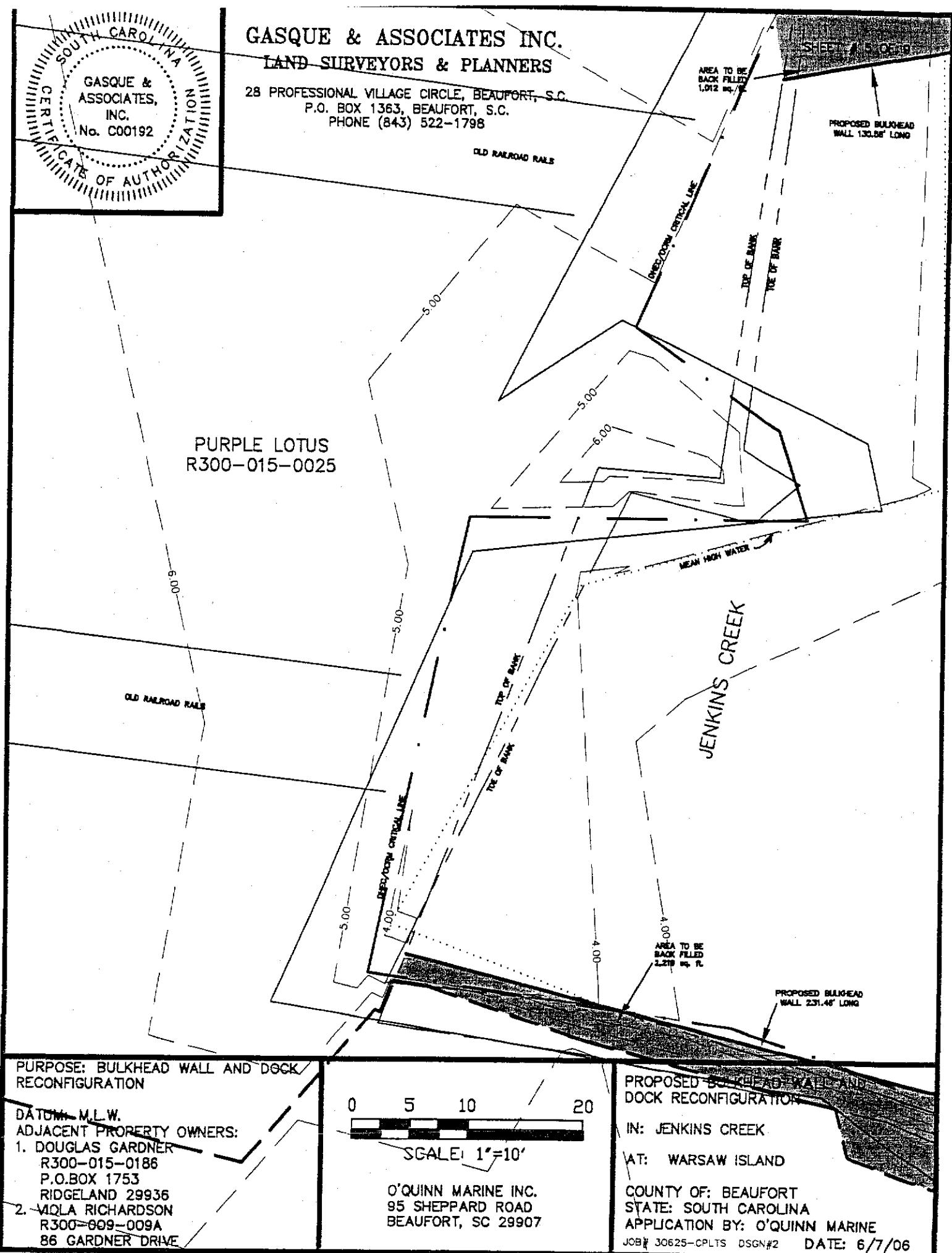
APPLICATION BY: O'QUINN MARINE

JOB# 30625-CPLTS DSGN#2 DATE: 6/7/06



GASQUE & ASSOCIATES INC.
LAND SURVEYORS & PLANNERS

28 PROFESSIONAL VILLAGE CIRCLE, BEAUFORT, S.C.
P.O. BOX 1363, BEAUFORT, S.C.
PHONE (843) 522-1798

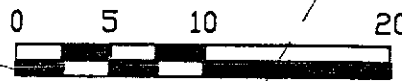


PURPOSE: BULKHEAD WALL AND DOCK
RECONFIGURATION

DATUM: M.L.W.

ADJACENT PROPERTY OWNERS:

1. DOUGLAS GARDNER
R300-015-0186
P.O. BOX 1753
RIDGELAND 29936
2. VIOLA RICHARDSON
R300-009-009A
86 GARDNER DRIVE



SCALE: 1"=10'

O'QUINN MARINE INC.
95 SHEPPARD ROAD
BEAUFORT, SC 29907

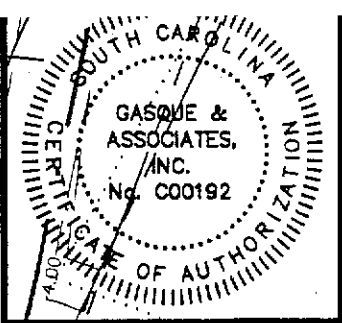
PROPOSED BULKHEAD WALL AND
DOCK RECONFIGURATION

IN: JENKINS CREEK

AT: WARSAW ISLAND

COUNTY OF: BEAUFORT
STATE: SOUTH CAROLINA
APPLICATION BY: O'QUINN MARINE

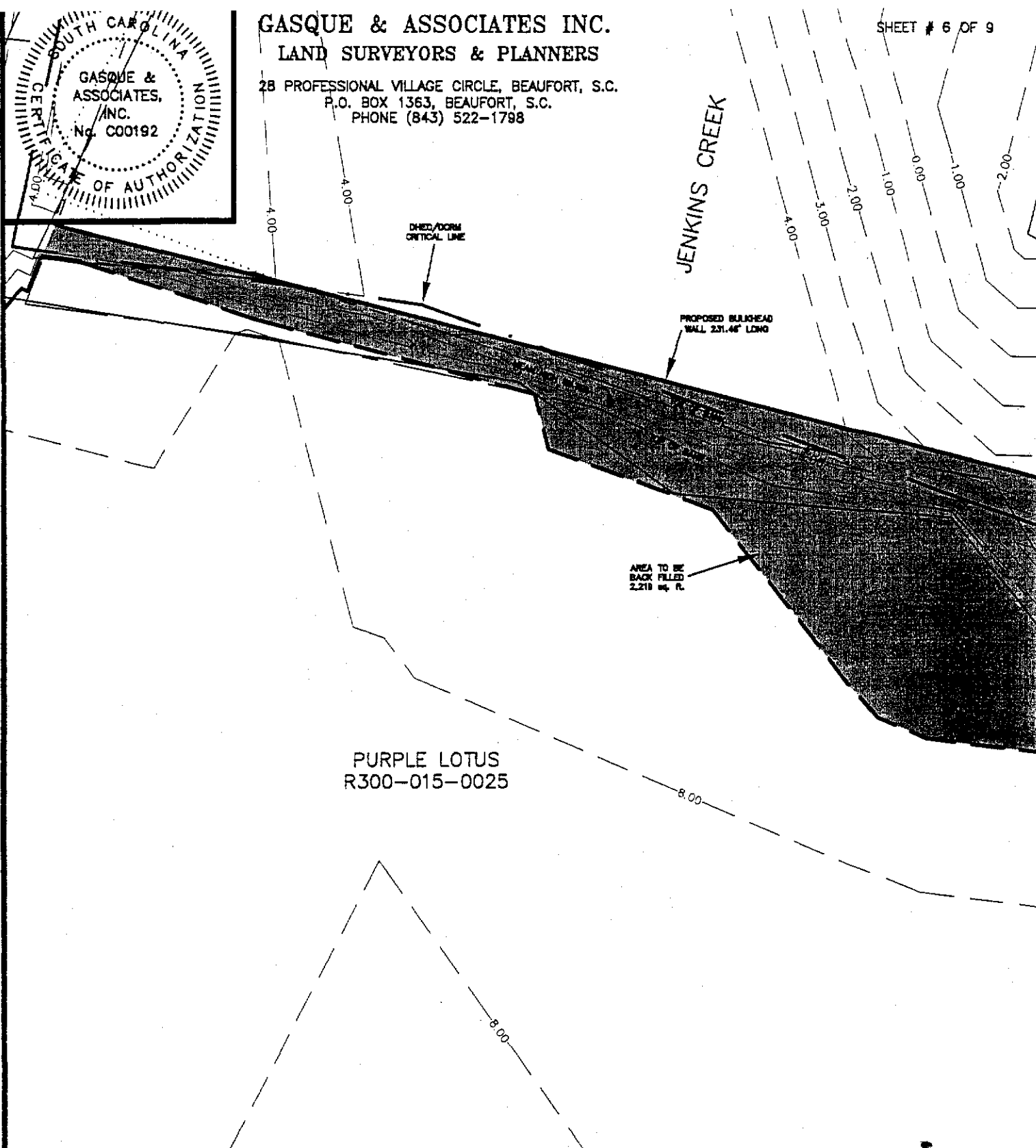
JOB# 30625-CPLTS DSGN#2 DATE: 6/7/06



GASQUE & ASSOCIATES INC.
LAND SURVEYORS & PLANNERS

28 PROFESSIONAL VILLAGE CIRCLE, BEAUFORT, S.C.
P.O. BOX 1363, BEAUFORT, S.C.
PHONE (843) 522-1798

SHEET # 6 OF 9

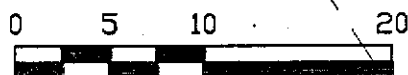


PURPOSE: BULKHEAD WALL AND DOCK RECONFIGURATION

DATUM: M.L.W.

ADJACENT PROPERTY OWNERS:

1. DOUGLAS GARDNER
R300-015-0156
P.O. BOX 1753
RIDGELAND 29936
2. VIOLA RICHARDSON
R300-009-009A
86 GARDNER DRIVE



SCALE: 1"=10'

O'QUINN MARINE INC.
95 SHEPPARD ROAD
BEAUFORT, SC 29907

PROPOSED BULKHEAD WALL AND DOCK RECONFIGURATION

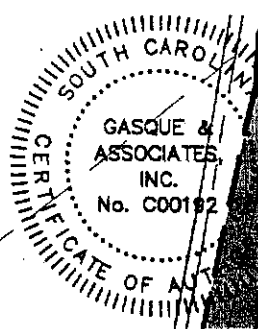
IN: JENKINS CREEK

AT: WARSAW ISLAND

**COUNTY OF: BEAUFORT
STATE: SOUTH CAROLINA**

APPLICATION BY: O'QUINN MARINE

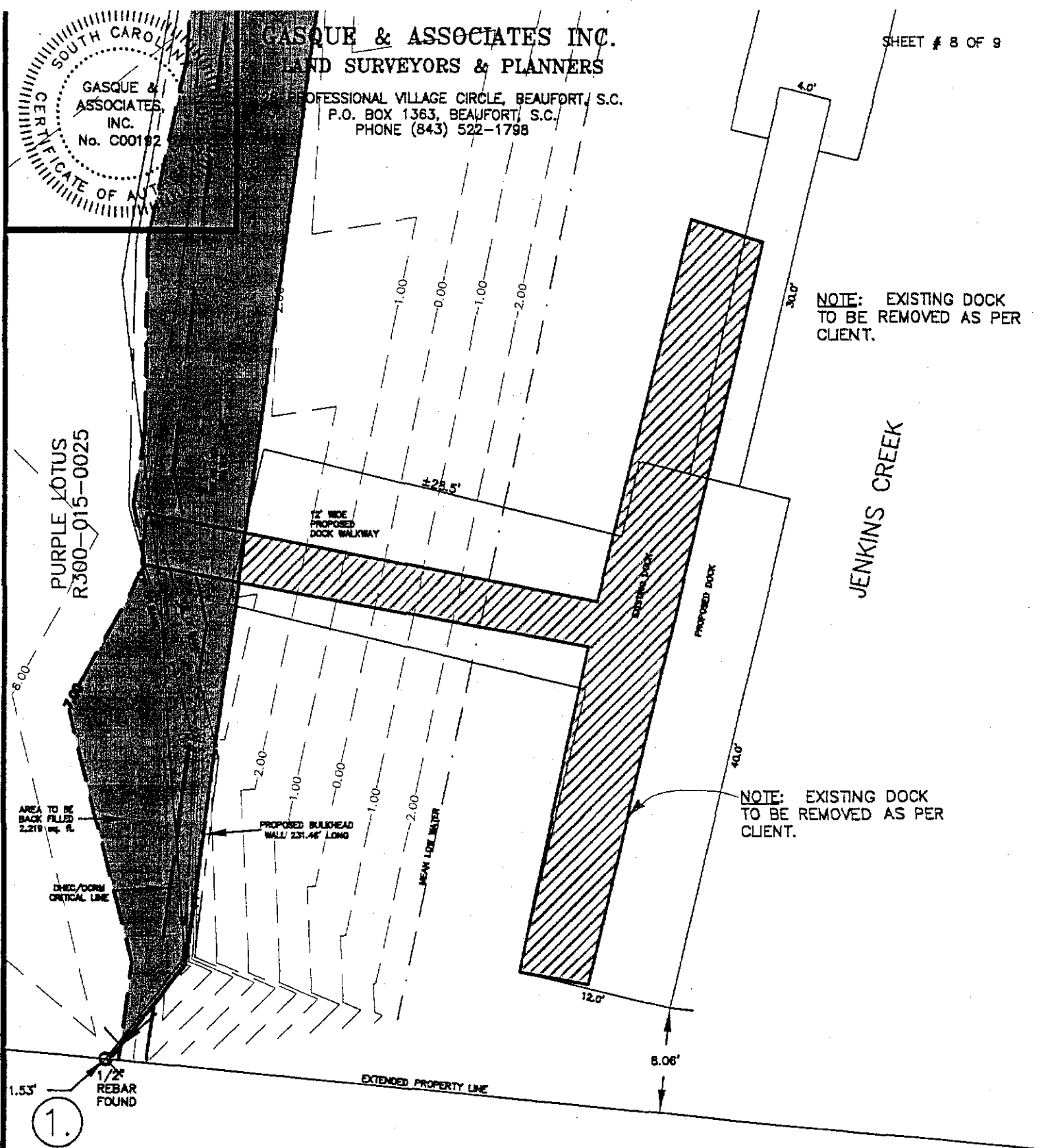
JOB # 30625-CPLTS DSGN#2 DATE: 6/7/06



GASQUE & ASSOCIATES INC.
LAND SURVEYORS & PLANNERS

PROFESSIONAL VILLAGE CIRCLE, BEAUFORT, S.C.
P.O. BOX 1363, BEAUFORT, S.C.
PHONE (843) 522-1798

SHEET # 8 OF 9



PURPOSE: BULKHEAD WALL AND DOCK RECONFIGURATION

DATUM: M.L.W.

ADJACENT PROPERTY OWNERS:

1. DOUGLAS GARDNER
R300-015-0186
P.O. BOX 1753
RIDGELAND 29936
2. VIOLA RICHARDSON
R300-009-009A
86 GARDNER DRIVE

0 5 10 20



SCALE: 1"=10'

O'QUINN MARINE INC.
95 SHEPPARD ROAD
BEAUFORT, SC 29907

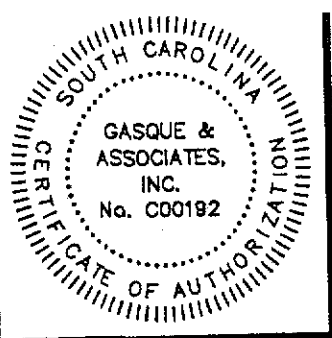
PROPOSED BULKHEAD WALL AND DOCK RECONFIGURATION

IN: JENKINS CREEK

AT: WARSAW ISLAND

COUNTY OF: BEAUFORT
STATE: SOUTH CAROLINA
APPLICATION BY: O'QUINN MARINE

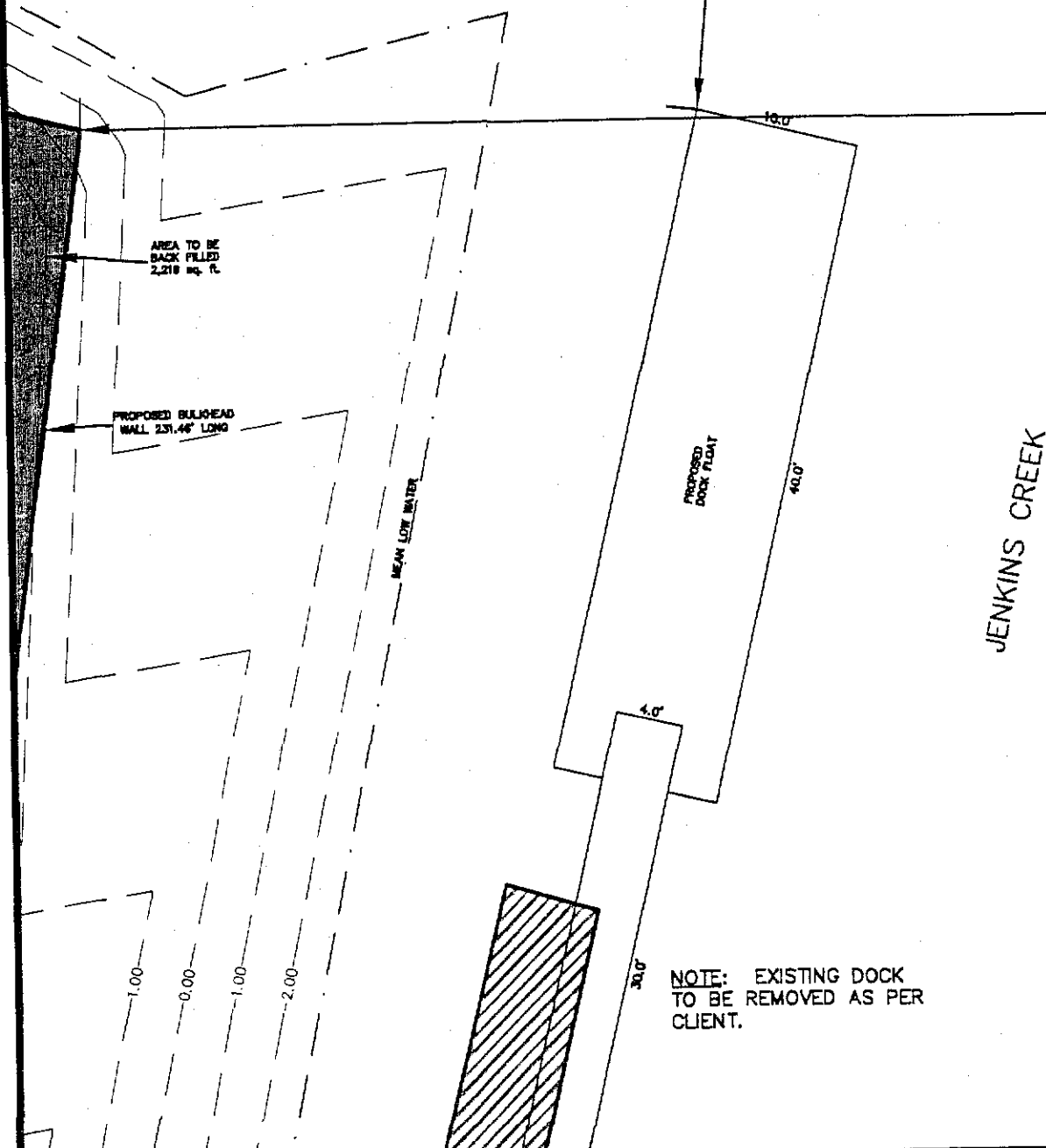
JOB# 30625-CPLTS DSGN#2 DATE: 6/7/06



GASQUE & ASSOCIATES INC.
LAND SURVEYORS & PLANNERS

28 PROFESSIONAL VILLAGE CIRCLE, BEAUFORT, S.C.
P.O. BOX 1363, BEAUFORT, S.C.
PHONE (843) 522-1798

SHEET # 9 OF 9



PURPOSE: BULKHEAD WALL AND DOCK
RECONFIGURATION

DATUM: M.L.W.
±28.5'

ADJACENT PROPERTY OWNERS:

DOCK, WARSAW ISLAND
DOUGLAS GARDNER

R300-015-0186

P.O. BOX 1753

RIDGELAND 29936

2. VIOA RICHARDSON

R300-009-005A

86 GARDNER DRIVE

SCALE: 1"=10'

O'QUINN MARINE INC.
95 SHEPPARD ROAD
BEAUFORT, SC 29907

PROPOSED BULKHEAD WALL AND
DOCK RECONFIGURATION

IN: JENKINS CREEK

AT: WARSAW ISLAND

COUNTY OF: BEAUFORT
STATE: SOUTH CAROLINA

APPLICATION BY: O'QUINN MARINE

JOB# 30625-CPLTS DSGN#2 DATE: 6/7/06